

Before The
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

)
 Amendment of Part 90 of the
 Commission's Rules to Facilitate
 Future Development of SMR Systems
 in the 800 MHz Frequency Band)

PR Docket No. 93-14
 RM-8117, RM-8030
 RM-8029

and)

)
 Implementation of Section 309(j) of the
 Communications Act - Competitive Bidding)
 800 MHz SMR)

PP Docket No. 93-253

To: The Commission

COMMENTS IN SUPPORT OF MOTION
FOR EXTENSION OF TIME

Brown and Schwaninger ("we") have been a participant in this proceeding, both *pro se* and on behalf of numerous clients which are vitally interested in the outcome of this proceeding and the effect that the Commission's decision might have on the future of small entrepreneurial SMR operators.¹ We believe that the Commission's actions will have a tremendous impact on the future of SMR operations throughout the United States, affecting hundreds of operators and what the Commission has recognized are users of more than one million subscriber units. It is, therefore, imperative that the Commission have a complete record upon which to decide each issue presented.

¹ We authored and filed over a dozen sets of comments at earlier stages in this proceeding. Accordingly, the *bona fides* of our and our clients' extreme interest in the outcome of this proceeding is a matter of record.

We are aware of the Motion For Extension Of Time ("Motion") filed by an organization named SMR WON, which requests a sixty-day extension of the Commission's deadline for the filing of initial comments. We concur in SMR WON's request and urge the Commission to provide this relief.

SMR WON's efforts and our efforts have been parallel, to present to the Commission the concerns of interested local SMR operators whose voices have been unfortunately unheard in many past rule makings proceedings. Grant of the Motion will provide the SMR WON members an opportunity to prepare and present an economic impact analysis to assist the Commission in its anticipation of the results of its decisions. That the organization's membership is willing to bear the cost of preparation and presentation of such an analysis in this proceeding should be commended by the Commission and the organization should be allowed to bring forth its data for further comment on reply.

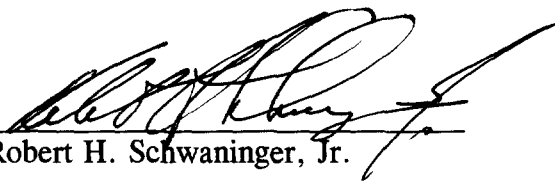
As previously stated within this proceeding, the public interest demands that the Commission look beyond administrative expediency and explore the anticipated cost to affected local SMR operators in lost market competitiveness, the cost of reduced growth potential, the total cost of any plan that would demand frequency swapping with larger entities, and the issues of future regulation of SMR operations in an new environment caused by the creation of Commercial Mobile Radio Service. To assure that the Commission's record is complete in its conscientious efforts to deal with each of these vital concerns, the

Commission should be liberal in its accommodation to those groups and entities which will employ the time wisely to improve the quality of information provided to the Commission.

For the foregoing reasons, we respectfully request that the Commission grant the requested sixty-day extension of time contained in the Motion.

Respectfully submitted,
BROWN AND SCHWANINGER

By


Robert H. Schwaninger, Jr.

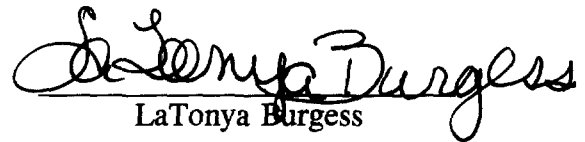
Dated: 11/28/94

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CERTIFICATE OF SERVICE

I, LaTonya Burgess, am an employee of Brown and Schwaninger and do hereby certify that on November 28, 1994, a copy of the foregoing COMMENTS IN SUPPORT OF MOTION FOR EXTENSION OF TIME were served on the following persons:

Raymond J. Kimball, Esq.
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LaTonya Burgess